



**BOARD OF EQUALIZATION
LEGISLATIVE COMMITTEE MEETING MINUTES
HONORABLE JOHAN KLEHS, CHAIR
450 N STREET, SACRAMENTO, ROOM 122
NOVEMBER 12, 2002 9:30 AM**

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2003 Legislative Proposals

PROPERTY TAXES

2003 Legislative Proposals

Set forth below are suggestions for Property Taxes legislation to be sponsored by the Board in the first year of the 2003-2004 Legislative Session (see attachments). Additional suggestions will be included on the agenda for January, 2003.

Suggestion Number

- 1-1 Amend Article XI, Sections 1 and 4, of the California Constitution to provide term limits for county assessors.**

Source: Honorable Dean Andal

Revenue Impact: None

Recommendation: Drop

- 1-2 Amend various sections of the Revenue and Taxation Code and Government Code to delete the statutory requirement that the Board first consult with the California Assessors' Association prior to taking actions in specified instances.**

Source: Honorable Dean Andal

Revenue Impact: None

Recommendation: Adopt as amended to substitute "county assessors" for "California Assessors' Association" in the Revenue and Taxation Code and Government Code.

PROPERTY TAXES (continued)

**Suggestion
Number**

- 1-3 Repeal obsolete Section 401.9 of the Property Taxes Law related to the lien date change over from March 1 to January 1 for the 1997-98 fiscal year for certain open space and timberland preserve zone contracts.**

Source: Property and Special Taxes Department and Legal Department

Revenue Impact: None

Recommendation: Adopt

- 1-4 Repeal obsolete Sections 5098 and 5098.5 of the Property Taxes Law.**

Source: Property and Special Taxes Department and Legal Department

Revenue Impact: None

Recommendation: Adopt

- 1-5 Amend Sections 75.31 and 534 of the Property Taxes Law to allow certain notice requirements to be Board-approved rather than Board-prescribed.**

Source: Property and Special Taxes Department and Legal Department

Revenue Impact: None

Recommendation: Adopt

BUSINESS TAXES

General Taxes

2003 Legislative Proposals

Set forth below are suggestions for Business Taxes (General) legislation to be sponsored by the Board in the first year of the 2003-2004 Legislative Session (see attachments). Additional suggestions will be included on the agenda for January, 2003.

Suggestion Number

- 2-1 Amend Sections 7093.5, 9271, 30459.1, 32471, 40211, 41171, 43522, 45867, 46622, 50156.11, 55332 and 60636 of the Revenue and Taxation Code to add a record retention period for the public record created for each tax settlement in excess of five hundred dollars (\$500).**

Source: Legal Department

Revenue Impact: None

Recommendation: Adopt

BUSINESS TAXES

Special Taxes

2003 Legislative Proposals

Set forth below are suggestions for Special Taxes legislation to be sponsored by the Board in the first year of the 2003-2004 Legislative Session (see attachments). Additional suggestions will be included on the agenda for January, 2003.

Suggestion Number

- 4-1 Amend Sections 8105 and 60507 of the Revenue and Taxation Code to extend the period for filing a refund on tax-paid fuel.**

Source: Honorable Claude Parrish

Revenue Impact: None. Intended to eliminate Board of Control process.

Recommendation: Adopt

- 4-2 Amend Section 7326 of the Motor Vehicle Fuel Tax Law to exclude "racing fuel" from the definition of "motor vehicle fuel".**

Source: Legal Department

Revenue Impact: None

Recommendation: Adopt

- 4-3 Amend Section 60022 of the Diesel Fuel Tax Law to correct an inadvertent drafting error.**

Source: Fuel Taxes Division

Revenue Impact: None

Recommendation: Adopt

BUSINESS TAXES (continued)
Special Taxes

**Suggestion
Number**

- 4-4** **Amend Sections 60604 and 60606 of the Diesel Fuel Tax Law to add the terms qualified highway vehicle operator, highway vehicle operator/fueler, pipeline operator, and vessel operator to the record section of the Diesel Fuel Tax Law.**

Source: Fuel Taxes Division

Revenue Impact: None

Recommendation: Adopt

ADMINISTRATION

2003 Legislative Proposals

Set forth below are suggestions for Administration (Personal Income Tax) legislation to be sponsored by the Board in the first year of the 2003-2004 Legislative Session (see attachments). Additional suggestions will be included on the agenda for January, 2003.

**Suggestion
Number**

- 5-1** **Amend Section 19131 of the Personal Income Tax Law to provide a rebuttable presumption that the late filing penalty does not apply when, under certain circumstances, the corresponding federal late filing penalty is determined not to apply.**

Source: Honorable Dean Andal

Revenue Impact: According to FTB, under \$500,000 annually.

Recommendation: Adopt

Approved: /s/ Johan Klehs
Johan Klehs, Committee Chair

/s/ James E. Speed
James E. Speed, Executive Director

BOARD APPROVED

at the 11/13/02 Board Meeting

/s/ Deborah Pellegrini
Deborah Pellegrini, Chief
Board Proceedings Division